

HUBELL & ASSOCIATES LLC

A LIMITED LIABILITY COMPANY
260 MADISON AVENUE
FLOOR 15
NEW YORK, NEW YORK 10016

VIA ECF

January 28, 2025

Honorable Ona T. Wang
United States District Court
500 Pearl Street
New York, NY 10007-1312

Re: Jeffery Albaneze et al. v. BDO USA, P.C., 1:23-CV-07197

Dear Magistrate Judge Wang:

We write on behalf of Plaintiffs and Defendant jointly.

On February 18, 2024, Judge Koeltl issued a scheduling Order. (ECF 45.) According to the scheduling Order, *inter alia*, the parties are to submit their joint pre-trial Order on January 31, 2025.

On January 13, 2025, Your Honor issued an Order (ECF 93), directing, *inter alia*, that if Plaintiffs seek a ruling on whether Defendant may seek issuance of summonses upon David Albaneze and Atlantic they are directed to brief that issue by Friday, January 24, 2025 and Defendant is to file its opposition by Friday January 31, 2025. Additionally, Your Honor stayed all other briefing in this action, as it is not clear that other issues identified in ECF Nos. 87 and 92 are ripe.

On January 15, 2025, Judge Vargas issued an Order (ECF 94), notifying the parties, *inter alia*, that the case has been reassigned to her. In Judge Vargas' Order she further wrote: "Unless and until the Court orders otherwise all prior orders, date and deadlines shall remain in effect notwithstanding the case's reassignment. Nothing herein shall affect the scope of the existing reference to the Magistrate Judge. Any conference or oral argument before or directed by the Magistrate Judge will proceed as ordered."

Inasmuch as there are pleading and discovery issues outstanding, the parties jointly request that the date for the submission of the joint pre-trial order be adjourned *sine die*.

Thank you for your consideration.

The parties are directed to submit a new proposed scheduling order that takes into account the posture of the case by February 14, 2025.

Respectfully submitted,

/s/ Richard A. Hubell
Richard A. Hubell

SO ORDERED.

/s/ Brian Mead (with permission)
Brian Mead



Ona T. Wang
U.S.M.J.

Feb. 4, 2025